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Police Department, Sheriff Joseph Lombardo,  
Sergeant Mark Cirkosz, Officer Jake Freeman,  
Officer Blake Vernon, and Officer Gerardo Reyes

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BRANDON SUMMERS,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, in its official capacity;  
CLARK COUNTY, a political subdivision of  
the State of Nevada; SHERIFF JOSEPH  
LOMBARDO, an individual; SERGEANT  
MARK CIRKOSZ, an individual; OFFICER  
JAKE FREEMAN, an individual; OFFICER  
BLAKE VERNON, an individual; and  
OFFICER GERARDO REYES, an  
individual,

Defendants.

Case Number:  
2:20-cv-01815-APG-EJY

**STIPULATION AND ORDER TO STAY  
DEADLINES PENDING SETTLEMENT  
DISCUSSIONS (ECF NO. 26)**

**(THIRD REQUEST)**

Plaintiff BRANDON SUMMERS (“Plaintiff”), Defendants LAS VEGAS  
METROPOLITAN POLICE DEPARTMENT, SHERIFF JOSEPH LOMBARDO,  
SERGEANT MARK CIRKOSZ, OFFICER JAKE FREEMAN, OFFICER BLAKE  
VERNON, and OFFICER GERARDO REYES (collectively “LVMPD Defendants”), and  
Defendant CLARK COUNTY, by their respective counsel, hereby stipulate to the following:

1. During the Fed. R. Civ. P. 26(f) conference conducted on December 9, 2020,  
the Parties determined that this matter was appropriate for possible early resolution and that

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1 a stay of discovery and other deadlines would allow the Parties to explore the possibility of  
2 settlement, without incurring the time and expense of ongoing discovery and other work  
3 during settlement discussions.

4 2. As such, the Parties entered into a stay of discovery and other deadlines so  
5 that the Parties could discuss settlement. ECF No. 16.

6 3. Plaintiff and LVMPD Defendants have reached a settlement but require  
7 additional time to finalize the terms of the agreement.

8 4. Plaintiff and the County have reached a settlement (pursuant to which  
9 Plaintiff's claims against the County shall be dismissed without prejudice and each side shall  
10 bear their own fees and costs).

11 5. The Parties are seeking an extension of the stay for an additional 60 days, up  
12 to and including February 18, 2022 to finalize settlement agreements and/or documentation  
13 and submit a Stipulation and Order for dismissal to the Court.

14 6. Accordingly, the Parties hereby agree and request the Court to enter a stay of  
15 all deadlines in the instant case.

16 7. This is the Parties' third request for a stay of deadlines in this matter.

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1 8. Notwithstanding the stay, the Parties intend to and hereby agree to cooperate  
2 in the exchange of information as needed to facilitate settlement.

3 IT IS SO STIPULATED.

4 Dated this 27<sup>th</sup> day of December, 2021

Dated this 27<sup>th</sup> day of December, 2021

5 MCLETCHIE LAW

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6  
7 By: /s/ Margaret A. McLetchie  
8 Margaret A. McLetchie, Esq.  
9 Nevada Bar No. 10931  
10 Leo S. Wolpert, Esq.  
11 Nevada Bar No. 12658  
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14 Attorneys for Plaintiff Brandon  
15 Summers

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Metropolitan Police Department, Sheriff  
Joseph Lombardo, Sergeant Mark  
Cirkosz, Officer Jake Freeman, Officer  
Blake Vernon, and Officer Gerardo  
Reyes

14 Dated this 27th day of December, 2021

15 CLARK COUNTY DISTRICT  
16 ATTORNEY'S OFFICE

IT IS SO ORDERED.

17 By: /s/ Robert T. Warhola  
18 Steven D. Wolfson, Esq.  
19 District Attorney  
20 Nevada Bar No. 1565  
21 Robert T. Warhola, Esq.  
22 Deputy District Attorney  
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26 Las Vegas, Nevada 89155-2215  
27 Attorneys for Defendant Clark  
County

  
U.S. MAGISTRATE JUDGE

Dated: December 27, 2021